REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 25-36 and 38-46 are pending in the application. Claims 25-36 and 38-46 have been rejected. Claims 25-27, 41 and 46 have been amended.

CLAIM REJECTIONS

35 U.S.C. § 112 Rejections

In the Office Action, the Examiner rejected, under 35 U.S.C. § 112 Second Paragraph, claims 25-27, because not having antecedent basis for the limitation "at least one given subscribers" and 41-46, because not having antecedent basis for the limitation "a method according to claim 37".

Claims 25-27 have been amended to overcome the antecedent basis deficiencies noted by the Examiner. Additionally, claims 41 and 46 have been amended to indiciate dependency from Claim 38 instead of Claim 37. It is respectfully asserted that the foregoing amendment merely addresses matters of form and does not change the literal scope of the claim in any way or result in any prosecution history estoppel.

Applicants respectfully assert that these amendments render claims 25-27 and 41-46 proper under 35 USC 112 and request that the rejections be withdrawn.

35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 25-36 and 38-40 under 35 U.S.C. § 103(a), as being unpatentable over Brilla et al. (US 6,389,276) in view of Goldberg (US 5,457,732).

Applicants respectfully traverse the rejection of claims 25-36 and 38-40 as being unpatantable over Brilla et al. (Brilla) in view of Goldberg.

General discussion of Brilla:

Brilla patent references and scope

The Brilla patent does mention "generating a unique message pointer (i.e., TAP paging message, including an access number and the text of the message to be displayed) associated with said specific message stored on said server (e.g. voice mail platform) [Column 16, lines 16-21] , and sending said message pointer (i.e. via the MWI controller) to at least one given subscriber's address (i.e. E-mail address and portable number (if needed)) [Column 16, lines 28-49]. Brilla mentions a platform that "generates a notification message to a separate wireless network... enabling a mobile subscriber to be notified of the new voicemail message. Hence, a voicemail subscriber can be instantly notified of a voicemail message... enables the voicemail/mobile subscriber to instantly access the stored voicemail message from the mobile telephone." [Column 16, lines 54-67]. Brilla mentions a way to generate a text message to be sent to the subscriber together with a "identification or access number... to be alerted an the text of the message to be displayed" [Column 16, lines 13-21]. Brilla in Figure 4, Column 14 [lines 13-18 and lines 52-67] and Column 16 [lines 15-21 and 28-48] mentions and details the fields of a translation table linking a PBX extension, e-mail, portable phone number and enablement fields enabling to link a voice mail box with a mobile subscriber.

Brilla Similarity to voice mail SMS notification

This section intends to show that the functionality mentioned in the Brilla patent is quite different and distinctive from the one offered by the present patent application. Barilla is actually describing the basic ability to send SMS messages message notifications as implemented today by most voice mail systems: sending text messages with description; each

text message may include a callback number to get back to the voice mail and listen to stored messages; subscriber can choose if to activate this notification feature; multiple messages can be sent to one mobile station, when several voice mails arrive; SMS messages can be delivered to mobile network over an IP network (using E-mail); the SMS messages can be stored in the mobile terminal for later use.Voice mail systems, and other appliances already supported the above SMS functionality (which was a well known and accepted technology) at the time of the present patent application, and as we will explain later, this functionality is only the first step in any initiation of contact using system based on the innovation of the present application.

Discussion of differences between Brilla and the present application

In this section we will show the flow of events in both applications to better clarify the differences between them.

- Brilla application flow and message notification is based on the table shown in Figure 4 item 206 of the application

PBX EXT	E-mail	Portable #	EN
.	.	.	
.	.	.	
.	.	.	

This table, and the purpose of each of the fields in it, is further explained in Brilla Golumn 14 [lines 14-26 and 52-67]. It can clearly be seen from the table structure and from the process of the notification that there is not linkage nor reference to a specific message, but just to a message pool that is indicated by the PBX EXT key. Also, as explained in the process, and in Column 15 [lines 1-22] the PBX EXT is liked to a specific telephone unit (or specific subscriber voice mail). This means that all messages to a specific extension will generate SMS notifications to a certain portable # (mobile phone) of a subscriber. Yet, all these SMS notifications will be linked to a specific PBX Extension (voice mail) and not to the specific message left in this voice mail. Furthermore, even in the invention enhancements mentioned in Column 17, lines 30-41 and in Column 18, lines 4-17 these extensions are not even mentioned.

To better explain how this differes from the linkage of messages using the method and system of the present application, a description of its flow is presented:

In general, the innovation of the present application will be based on the flow that is explained below.

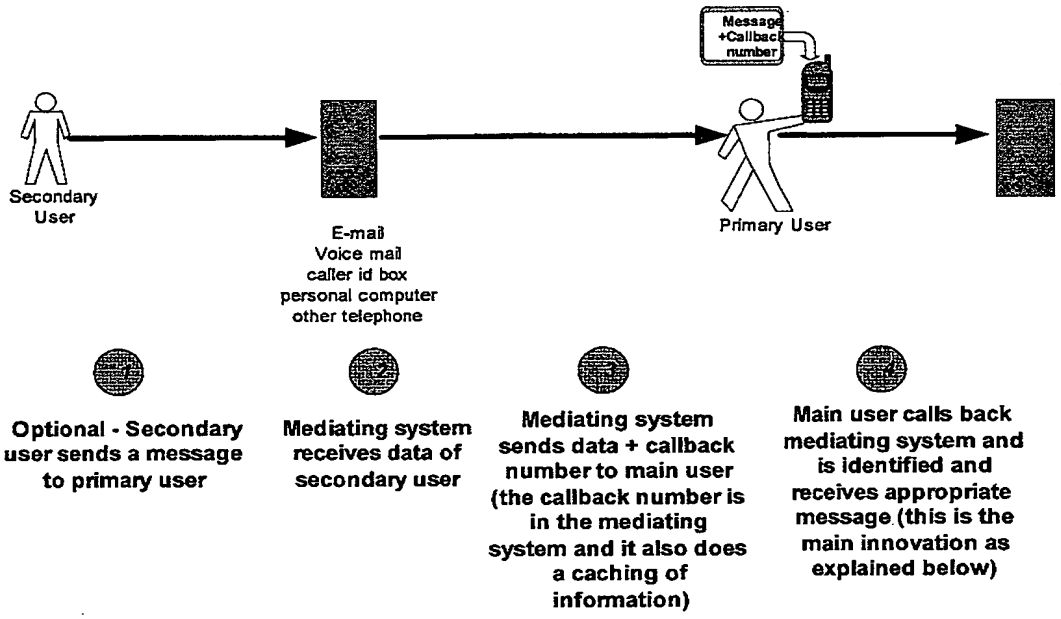


Figure 3 –scenario 1 of the present application

As can be seen in the flow above, the callback number (in the SMS message sent is step 3), is always directed back to the system that sent it (which may seem similar to the way implemented by Brilla), but is linked to a specific message. The main innovation is the way these callback numbers are generated, the unique association between the callback number the primary subscriber caller id and message contents, this will be explained in the next paragraph.

Differentiating factors of the Present Application

The steps explained in Figure 2 of the present patent application, while focusing on the innovation and the distinction from the Brilla patent will be done using a sample application that is distinctively different from the Brilla or Goldberg patents. Implementation of an "E-mail on the Go" application is described herein after. Please note that here the Secondary subscriber is not making calls at all – he is sending e-mails.

- The process

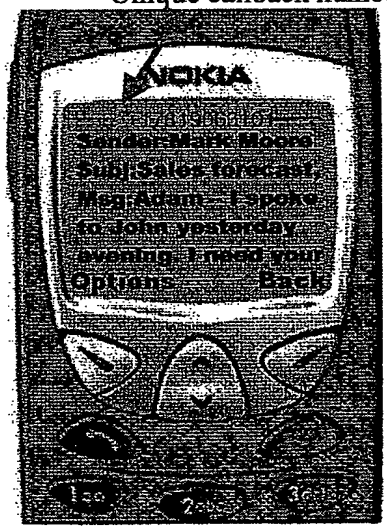
In this example, a subscriber will get a notification about every new e-mail he receives. Notifications will be sent as regular SMS messages.

- The notification

The format of the notification received by the subscriber can be seen in the picture below:

This notification is a basic SMS – with text and a callback number. As we will explain, this notification is only one step in the present application.

Unique callback number per message



Since SMS messages are limited to 160 characters, a subscriber can only see the beginning of the E-mail message (sender details, Subject and the beginning of the message body, which will most probably be truncated).
The subscriber will be able to call the attached number (which is automatically generated as a unique association between the callback number for each SMS message) and have the entire message read out by just using the "call back" feature on his mobile station.
This unique association enables to cache messages for the subscriber when he calls back and attach them to a caller Id and DID (we will explain it later). This way the subscriber will hear only the one message he is looking at right now.
Also, this technology ensures that, there is no need for a big range of callback numbers (i.e. one for each e-mail).And one can serve as many subscribers as you wish as little as 100 callback numbers.

Figure 4 – The notification SMS

To explain the logic behind allocating the callback numbers, refer to Figure 5. The telephony server (the "callback server") on the right has an allocated range of callback numbers. Every time a notification is sent to a subscriber, a callback number from the

allocated range (the next in line) is attached to it. In the example we use, when a subscriber receives his first notification it will come with the following callback number: '1-781-906-0300'; the next notification will come with the callback number: '1-781-906-0301'; etc.

When all the callback numbers in the allocated range have been used, for the specific subscriber, the system will start over from the first one, and re-use the same numbers. In this manner, every message receives a unique number from the allocated range. The number of unique messages that can be stored for each subscriber is equal to the number of callback numbers in the range (100 in our example).

This unique association will also enables to pre-cache messages for subscribers on the correct servers for fast message retrieval.

The same callback numbers can be used for different subscribers, because each message is retrieved by a combination of a caller Id and dialed callback number (the dialed number can be received from a DID trunk that will tell the system what is the number in the trunk that the subscriber dialed). The subscriber id is mandatory when the subscriber calls back (unlike the Brilla or Goldberg patents), because it is used to identify the subscriber and to bring him the messages he called back to hear.

Using this you get a structure which is similar to a matrix (as seen in Figure 5) where you can see the association of a primary subscriber (by his caller id on the top), the callback numbers he received (from the DID range on the right) and the associated messages are in the matrix cells.

Using this trick, and a smart re-use of DID callback numbers, there is no need for a large range of callback numbers. You can serve as many subscribers you want with as little as 100 callback numbers.

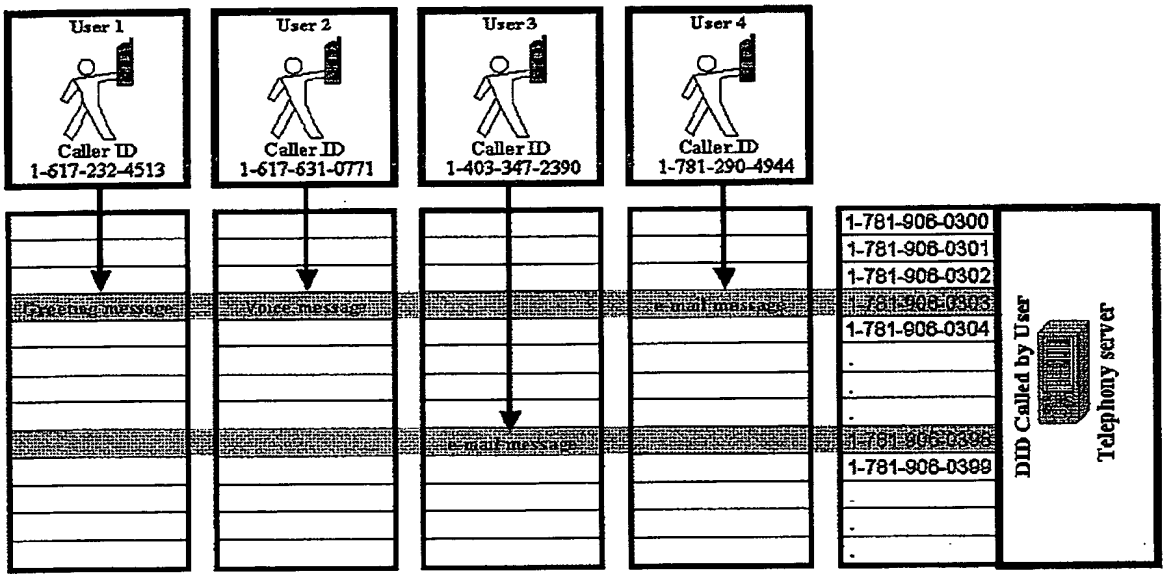


Figure 5 – DID number allocation

Important Note: In the same logic the present application can be expanded to handle 2-way E-mail to SMS and SMS to E-mail. By simply changing the DID call range with an SMPP application range when connecting to an SMSC.

Summary of the main differences between the Brilla patent and the present application.

In this example: Messages are not left on the voice mail (by the secondary subscriber), he is sending e-mails. So the callback numbers are not linked to a specific PBX EXT called.

In this example: callback number send in SMS messages are associated to a unique combination of DID and caller id – this is because once the primary subscriber received a message with a callback number he can call a unique message directly. While in Brilla's application all will be linked to a certain PBX EXT. Using the technology of the present application there is a unique association between each message, the DID line (whose number appears in the SMS message) and the caller id of the primary subscriber.

In a telephone, SMS-voice application based on the Brilla patent there is no need for the caller id (of the primary subscriber or another identification) of the primary subscriber, only the PBX extension is mandatory (the mobile phone number of the primary subscriber is only used to send SMS alerts to his mobile phone when a new voicemail is left for him). While in

the present application the situation is exactly the other way around, the caller id of the primary subscriber is mandatory and is used to retrieve the specific message. Moreover, the present patent application is not limited to voice/phone and SMS applications only. It can be expanded and be used for SMS based applications (to enable full 2-way E-mail to SMS and SMS to E-mail), MMS applications and others.

General discussion of Goldberg:

The Goldberg patent explains the need and use of it as "the need to route responses to a message to a phone number other than the phone number used to originate the message" [Column 1 – lines 60-62] and "what is needed is a method and apparatus to efficiently deliver responses to designated messaging terminals, completing the delivery of data or voice responses in the manner preferred by the subscriber of the messaging terminal which receives the response, and without delivering intrusive data signals to the subscriber's handset during the delivery of the response call." [Column 2 - lines 5-10]. These needs are basically what stands behind most voice mail systems and explains their basic activity (which was a well known, and largely deployed reality at the time of the present application).

Goldberg in column 2, lines 23 and on, explains the interfaces used and in lines 28 and on explains the steps taken to achieve the innovation, these steps explain the storage of messages and association of them with numbers for message retrieval. In column 2, line 42 recites "Accordingly, in a second aspect of the present invention, a method for receiving a response during a telephone call, at a messaging terminal operating in a messaging system, when the telephone call is not answered by a telephone handset prior to the expiration of an answer timer, consists of the steps of answering, sending, starting, canceling, and continuing. The response is a digital response or a voice response....". As can be understood, the goals of this patent are on a low level of enabling the mechanism to receive and store the message, the call flows and steps to handle it. These where already a known fact at the time of the present application, which was made at a period when voice mails already stored messages, and sent SMS notifications to subscribers when a message was received (these notifications included both sender number as well as the voice mail number to call to retrieve the message.)

Discussion of differences between Goldberg the present application

In this section we will focus and clarify the difference between both documents.

- Goldberg in column 4, lines 50 and on, gives a detailed explanation of the invention. Which again explain the steps and electrical and physical level of storing a message and notifying the subscriber. From the explanation it is clear what are the uses of the application.

- Goldberg stores a message and a response telephone number corresponding thereto in it's message memory. And this message is associated with response. And this response can be delivered to a subscriber or he can be sent a retrieve response number, so he can establish a call. But unlike the present application, there is no explanation how the reply numbers are managed and there is no explanation of a behavior or method to deal with numbers in case a subscriber got more than one message designated for him. (this is actually the difference between a regular voice mail and the present innovation - as explained in the section "Differentiating factors of the Present application" above.

- From the detailed explanation of the Goldberg invention, as well as from figures 5,6,7,8 and 9 of Goldberg, that explain in detail the steps and call flows. It is (again) clearly shown that Goldberg system has no indication of the message pointer of a specific subscriber (this means that there is no difference in Goldberg's system behavior if a subscriber has 1 or more messages stored for him). While this is exactly the uniqueness and real invention of the present application (as explained in the section "Differentiating factors of the Present application" above).

- Furthermore, from the detailed Goldberg explanation, and samples it can be seen that although the Goldberg system can be used to an application as explained in Figure 3 (scenario 1 in the present application), there is no allocation for different reply and callback numbers to retrieve different messages for a specific subscriber (as explained above).

- The clearest example for the difference can be seen in the first example of usage as detailed in Goldberg column 9 (and figure 2). In this section, Goldberg explains

the information that is stored for each message "the message is expected to elicit a response which is intended for the messaging terminal 115, so, during the telephone call which conveys the message to the system controller 102, a response telephone number for the messaging terminal 115 is also conveyed to the system controller 102... The message input handler 404 stores the response telephone number for the messaging terminal 115 as a response telephone number in the message memory 408. The message input handler 404 also stores the indication that the messaging terminal 115 is expected to be answered at the telephone handset as a "handset expected" response type in the message memory 408, along with the message or an identifying number for the message. When the response is received from the portable receiving device 106, the message handler associates the response with the message. This is accomplished by sending the identifying message number, along with the message, to the portable device 106, which returns the identifying message number back with the response. This...may be used to associate the response with the message... The message handler then retrieves the response telephone number and the response type and routes them, along with the response, to the response handler 420...." [lines 1-28]. From this detailed explanation it is clear that Goldberg doesn't store nor relate to a situation that a subscriber will have several messages routed to him. Goldberg doesn't mention that he stores, associates or relates to the fact that a certain terminal already got a message (and therefore should get another callback number with the next message). Therefore, although it issues a the unique identifier to the message, the logic and actual callback number issues will be completely different than the one done in the present application (unlike the present application as explained in the section "Differentiating factors of the Present application" above). Since both systems are used for completely different purposes, and use different logic.

- In the second example of use as detailed in Goldberg Column 10-11 we again see that "... during the telephone call which conveys the message to the system controller 102, a response telephone number for the messaging terminal 118 is also conveyed to the system controller 102,... The response is associated with the response telephone number by the system controller 102 in the same manner as described above with reference to Fig 3." [Column 11, lines 3-10]. Since the

associated response is based only on the response number, the message, and the terminal (but does not relate to pervious messages the subscriber got, nor relate to the fact that more than one subscriber is associated with a number): so the logic to allocate association in these cases in not the same: We have no indication that there is an association of numbers for different subscribers can be calling the same line, and expect to get different messages. Nor that the message retrieved or the number associated with the message is related to the number of messages the subscriber already got.

- From these two we can see that at best the Goldberg application will store a table with these parameters:

Response	Response telephone number	Message (or identifying message number)	Response Type	Portable device
...				

If we try to translate this to the parallel feature in the present application we will see that Goldberg will store only two unique keys: either the message (or identifying message number) and response (and Response telephone number) or the message (or identifying message number) and response portable device.

While in in the present application, the unique keys will be the combination of all 3: the message, response telephone number and portable device (and the response number will be different and associated by the present application based on the subscribers).

On top of the above discussion of Goldberg, where applicable, the arguments made above with respect to Brilla are also applciable here with repect to Goldberg.

As to specific rejections, and corresponding arguments:

Claim 25-36 and 38-40 has been rejected under 35 U.S.C. § 103(a), as being unpatentable over Brilla et al. (US 6,389,276) in view of Goldberg (US 5,457,732). Applicant respectfully traverses.

As to Claim 25 the Brilla patent indeed uniquely associates a message with a mobile phone subscriber and a PBX EXT, yet this association is done in order to **send notifications** to the mobile phone. All such SMS notification will have the same callback number (of the PBX EXT). Contrary to this method, the present application uses this information for **unique message retrieval** (and not only in order to send the callback number to the mobile station) and therefore, the system and method of the present application can retrieve **different messages** based on different mobile subscribers calling the **same extension**. Brilla does not cover the feture of generating unique, server based, callback numbers per message, and the means to respond to various calls received from the same mobile station (each with the intention to listen to a different message). The examiner also does not assert that Brilla disclose or suggest these features. The Goldberg patent, in a similar manner, although stating an association of Response, Response telephone number, Message (or identifying message number), Response Type, Portable device, yet the unique key used in Goldberg is different than the one in the present application. This key is combination of all 3: the message, response telephone number and portable device (and the response number will be different and associated by the present application based on the subscribers). Accordingly, the Goldberg patent can't cure the deficiencies of Brilla. Therefore, the Examiner is respectfully requested to withdraw the rejection of Claim 25.

As to Claim 26, the Brilla patent, again, associates a **unique message** with a specific subscriber. So the same subscriber can get different callback (PBX extensions) for different unique messages he receives, while in Brilla, a single subscriber is listed in one place in the translation table (see Berilla Column 15 lines 1-9) and will get messages for a fixed PBX extensions (his office phone voicemail extension number). The Goldberg patent can't cure the deficiencies of Brilla for arguments that has been raised above with respect to Claim 25.

As to Claim 27, it depends, directly or indirectly, from "Claims 25 and 26 which have been discussed above and are deemd allowable. Claim 27 contains all the limitations of these claims and is similarly allowable. Furtheremore, this claim further recites the limitation of

associating a **unique message** with a specific subscriber for inbound calls and not for notifications. In the method and system disclosed in Brilla, if two subscribers will get a notification for a given message left on the voice mail of one of them, they will both call the same PBX Extension to listen to it, while in the system of the present application, they may need to call different callback numbers (PBX extensions) although both will be linked to the same message. As to the Goldberg patent, the same logic applies: where two people can call the same response telephone number, they may hear a different message if a different portable device is stored for them, but the Goldberg patent does not explain what happens if each of them has more than one message: how the response call numbers are handled in this case; what response number is associated in these cases (most probably the subscriber will get the same response number, but with a different message identifier – which will require him to manually enter it or to manually move between messages).

As to Claim 28, the same arguments as raised above with respect to claim 27 are also applciable here.

As to Claims 29-36, these claims deal with the issue of deploying the present invention's system in a telephone network. These claims are based on the previous ones and explain the nature of generating different callback numbers and the logic of linking different messages to the same subscriber or with different subscribers that may get different callback numbers although pointing and retrieving the same message. This issue is not covered at all in both Brilla's as well as Goldberg's patents. The arguments made above with respect to claims 25-28 apply also here. Therefore, Applicants respectfully assert that claims 26-35 are likewise allowable. Accordingly, Applicants respectfully request that the Examiner withdraw the rejections to independent claims 25 and to claims 26-35 dependent thereon.

As to Claim 38, the arguments made above with respect to claim 25 are applicable here also and for the same reassons this claim is also deem allowable.

As to claims 39-46 depending, directly or indirectly, from Claim 38 and therefore include all the limitations of this claim. Therefore, Applicants respectfully assert that claims 39-46 are likewise allowable. Accordingly, Applicants respectfully request that the Examiner withdraw the rejections to independent claims 38 and to claims 39-46 dependent thereon.

In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 05-0649.

Respectfully submitted,

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Dated: February 2, 2005

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